

**Behavioral Sciences Regulatory Board
Addiction Counselor Advisory Committee
December 17, 2021, Minutes**

- I. Call to Order.** The meeting was called to order by Chair Deb Stidham at 11:00 a.m.

Advisory Committee Members. Advisory Committee members who participated by Zoom were Deb Stidham, Jacqueline Lightcap, Christina Boyd, Lisa Carter, Jason Hess, Chad Jacobs, Mike James, Charity Kossin, Dulcinea Rakestraw, and Shane Hudson.

Staff: Staff from the BSRB who participated by Zoom were David Fye and Leslie Allen.

Guests. None.

- II. Introduction of New Advisory Committee Members.** The Advisory Committee welcomed new members Chad Jacobs and Charity Kossin. Members of the Advisory Committee shared information on their backgrounds and interests in serving on the Advisory Committee. David Fye, Executive Director for the BSRB, and Leslie Allen, Assistant Director and Licensing Manager for the BSRB, provided information on their backgrounds. The Chair of the Advisory Committee shared general information on the BSRB, noting the unique nature of the agency as a composite Board overseeing seven different professions.
- III. Approval of Draft Minutes from Advisory Committee Meeting on September 24, 2021:** Mike James moved to approve the minutes from the Advisory Committee meeting on September 24, 2021. Dulcinea Rakestraw seconded. The motion passed.
- IV. Executive Director's Report:** The Executive Director for the BSRB reported on the following items:
- A. Information for New Advisory Committee Members.** The Executive Director provided basic guidance on Advisory Committee member responsibilities, including an explanation of the Kansas Open Meeting Act (KOMA), the need to hold meetings remotely due to the pandemic, and broadcasting of Advisory Committee meetings over the agency's YouTube channel.
 - B. State Employee Remote Work.** After staff members were able to return to full-time work in the BSRB office from June until August, the Governor directed most state employees to return to remote work until January 4, 2022.
 - C. E-Payments.** The BSRB is pleased to announce the launch of a new payment portal on the agency's website. The payment portal allows individuals to make payments using credit cards and electronic checks. The BSRB worked with the Information Network of Kansas (INK) to create the portal.
 - D. BSRB Staffing Update.** To assist with clerical responsibilities, the BSRB brought in a temporary employee for the past month. The BSRB advertised to fill a permanent administrative assistant position and has been interviewing candidates. The agency recently hired an applicant who will start with the BSRB on December 27, 2021.

- E. **Annual Planning Meeting.** Each year, the Board traditionally holds an annual planning meeting in September. This year, the Board decided to hold the annual planning meetings over Zoom, with the first day behind held at the end of September and the second day at the end of October. At these meetings, the Board discussed possible changes to continuing education requirements to require a certain number of hours in Diversity, Equity, and Inclusion (DEI). Advisory Committees were asked to discuss this topic and provide recommendations on whether their professions supported a requirement in this area. The Executive Director noted the Licensed Psychology Advisory Committee recommended a requirement of 3 hours in DEI, but to allow double-counting of these hours within existing required continuing education hours in ethics and diagnosis and treatment. The Licensed Psychology profession requested to add this requirement as a statutory change for their profession, which was approved by the Board. This recommendation will be included in the legislation requested by the BSRB for the 2022 Legislative session.
- F. **Retention or Disposal of Practitioner Records in the Case of Death of a Provider.** The Board has recently discussed possible solutions when a practitioner licensed under the BSRB passes away without a logical custodian for their records. Board members were supportive of adding a question to the original license and renewal forms for applicants to identify the next custodian of the records.
- G. **Changes in Board Governance Policy:** The Board Governance Policy outlines policies for board members and BSRB Staff. The document had not been updated in 10 years, so the Board recommended several changes to the document. These changes are being drafted and will be reviewed and approved at the Board Meeting on January 10, 2022.
- H. **Merit of Public Trust:** As part of the requirements for licensure, the BSRB collects materials provided by an individual to prove those applicants merit the public trust. The Board and legal counsel for the Board discussed the best standard for this process. Representative from the Attorney General's office noted that "merit the public trust" is the prevailing standard across states.
- I. **Website Posting Policy:** The Board approved language changes to clarify what disciplinary items are posted to the BSRB website.
- J. **Public Comment:** In the past, it was rare for individuals to attend meetings or to request to provide public comment at meetings, but as more meetings are being broadcast and more individuals are seeing the work of the Board and Advisory Committees, the number of questions and requests to provide public comment has increased. The public comment process can be confusing for individuals and groups who wish to provide public comment at Board meetings or Advisory Committee meetings, so the Executive Director is drafting a new document with language on this process. This document will be reviewed by the Board at the January 2022 Board meeting.
- K. **2022 Legislative Session:** The 2022 legislation session begins the second week in January and is likely to last until either May or June. Each year, the budget for the BSRB will need to be approved by both the House and Senate budget committees. Additionally, the BSRB has received permission from a member of the Legislature to speak to a representative from the

Revisor of Statutes office for a bill to be drafted that includes recommendations from the Board of the BSRB.

- L. **Presentation on Performance Measures to Legislative Budget Committee.** The Executive Director noted a few agencies were asked to present testimony to the Legislative Budget Committee on agency performance measures, so he will be speaking to that Committee later in December.
- M. **Update on Kansas Fights Addiction Grant Review Board.** The 2021 Legislature passed a bill authorizing the Kansas Fights Addiction Grant Review Board and the creation of the Kansas Fights Addiction Grant Fund to receive proceeds from federal opioid lawsuits. This Board is organized under the Attorney General's office, but has not met. The Executive Director will continue to report any progress by this group in the future.
- N. **Update on Overdose Fatality Review Board.** A bill was proposed during the 2021 Legislative session to form an Overdose Fatality Review Board. The bill did not pass, but representatives from the Kansas Department of Health and Environment (KDHE) received a grant from the federal Centers for Disease Control and Prevention (CDC), which allowed them to have this group begin to meet. The group requested a representative from the BSRB to attend, so the Executive Director and Bruce Nystrom have attended two meetings of the group. The group expressed the desire for Legislative support, so members intend to renew efforts for legislation to be passed during the 2022 Legislative session.

V. **Old Business:**

- A. **Discussion of Items to be Included in Draft Legislation.** The Chair noted that the draft legislation requested by the BSRB for the 2022 Legislative session will include a recommendation to allow most individuals with a master's-level or clinical-level license under the BSRB to take the examination to become a Licensed Addiction Counselor. Current law allows most master's-level practitioners under the BSRB to use their license as an alternative to the traditional educational requirements to take the examination to become a Licensed Master's Level Addiction Counselor. Current law also allows most clinical-level practitioners under the BSRB to use their licenses as an alternative to the traditional educational requirements to take the examination to become a Licensed Clinical Addiction Counselor. Certain master's-level and clinical-level practitioners under the BSRB have requested the flexibility to use their licenses to satisfy requirements to take the lower-level test to become a Licensed Addiction Counselor, however the BSRB lacks the ability to provide that flexibility without statutory changes. The Executive Director summarized two other recommendations that will be included in the bill, including the Licensed Psychology continuing education requirement for hours in DEI and a recommendation affecting the social work profession, adding certain language that was deleted in 2021 HB 2208 which limits the Board's ability to evaluate practicums for individuals seeking the clinical-level social work license.

VI. Next Meeting: The next Advisory Committee meeting will be on Friday, March 18, 2022.

VII. Adjournment. Christina Boyd moved to adjourn. Dulcinea Rakestraw seconded. The motion passed.